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2 Honorable Linda B. Riegle  
3 United States Bankruptcy Judge  
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6 **Entered on Docket**  
7 **March 07, 2012**  
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21 **UNITED STATES BANKRUPTCY COURT**  
22 **DISTRICT OF NEVADA**  
23

24 In re:

25 **USA COMMERCIAL MORTGAGE**  
26 **COMPANY,**

27 Debtor.

28 Case No. BK-S-06-10725-LBR  
29

30 **CHAPTER 11**  
31

32 **Order Granting Motion to Clarify the**  
33 **Record Regarding Proofs of Claim**  
34 **Filed by Pete Monighetti; Peter Valve**  
35 **Company, Inc.; Philip Rulon; Gerry**  
36 **Topp; and Randall & Allison Lococo**

37 **Hearing Date: March 1, 2012**  
38 **Hearing Time: 10:00 a.m.**

39 The Court considered the USACM Liquidating Trust's Motion To Clarify the  
40 Record Regarding Proofs of Claim Filed by Pete Monighetti; Peter Valve Company; Inc.,  
41 Philip Rulon; Gerry Topp; and Randall & Allison Lococo ("the "Motion") [DE 9683] at  
42 the hearing held on March 1, 2012. Appropriate notice of the Motion was given and no  
43 responses were filed. Good cause appearing,

44 **IT IS ORDERED:**

45 1. The Motion is granted; and  
46 2. To clarify conflicting orders regarding the following proofs of claim, the  
47 records of the Court are amended as follows:

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**PETE MONIGHETTI**

**POC No. 10725-01208-1** The Order Sustaining Seventeenth Omnibus Objection of USACM Trust to Duplicate Proofs of Claim [DE 9591]<sup>1</sup> is amended to delete the reference to POC 1208-1 so that it is not disallowed.

**POC No. 10725-01208-2:** The Order Sustaining Seventh Omnibus Objection of USACM Trust to Proofs of Claim Based In Part Upon Investment in the Fiesta Oak Valley Loan [DE 9473] is amended to delete the reference to proof of claim 01208-2.

**POC No. 10725-01208-2:** The Order Sustaining Third Omnibus Objection of USACM Trust to Proofs of Claim Based In Part Upon Investment in the HFAH Asylum, LLC Loan [DE 9484] is amended to delete the reference to POC 01208-2.

**PETER VALVE COMPANY, INC.**

**POC No. 10725-01213-2:** The Order Sustaining Second Omnibus Objection of USACM Trust to Proofs of claim Based In Part Upon Investment in The SVRB 2.325 Loan [DE 9410] is amended to remove the reference to POC No. 01213-2.

**PHILLIP RULON**

**POC No. 10725-01214-2:** The Order Sustaining Second Omnibus Objection of USACM Trust to Proofs of claim Based In Part Upon Investment in the SVRB 2.325 Loan [DE 9410] is amended to delete the reference to POC No. 1214-2.

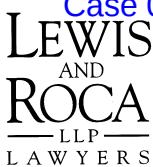
**GERRY TOPP**

**POC No. 10725-2416-1:** The Order Sustaining Eighteenth Omnibus objection USACM Liquidating Trust to Duplicate Proofs of Claim [DE 9550]<sup>2</sup> is amended to delete the reference to POC No. 02416-1 so that this claim is not disallowed as duplicative.

**POC No. 10725-02416-2:** The Order Granting USACM Trust's Motion to Allow Proofs of claim Based Upon Investment in the Amesbury Hatters Point Loan [DE 9492] is amended to remove the reference to POC No. 02416-2.

<sup>1</sup> This reference includes any Amended Orders.

<sup>2</sup> This reference includes any Amended Orders.



1 **POC No. 10725-02416-2:** The Order Sustaining Tenth Omnibus Objection of  
2 USACM Trust to Proofs of Claim Based In Part Upon Investment in the Fiesta  
3 Oak Valley Loan [DE 9476] is amended to delete the reference to Claim 2416-  
2.

## RANDALL AND ALLISON LOCOCO

**POC No. 10725-1205-1:** The Order Sustaining Seventeenth Omnibus Objection of USACM Liquidating Trust to Duplicate Proofs of Claim [DE 9591]<sup>3</sup> is amended to delete the reference to 1205-1.

**POC No. 10725-01205-2:** The Order Sustaining Third Omnibus objection of USACM Trust to Proofs of claim Based In Part Upon Investment In the Binford Medical Developers Loan [DE 9367] is amended to delete the reference to POC No. 01205-2.

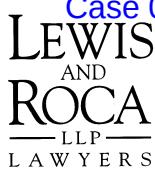
PREPARED AND RESPECTFULLY SUBMITTED BY:

LEWIS AND ROCA LLP

By /s/ John Hinderaker (AZ #018024)  
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<sup>3</sup> This reference includes any Amended Orders.



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## LOCAL RULE 9021 CERTIFICATION

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In accordance with LR 9021, counsel submitting this document certifies that the order  
accurately reflects the court's ruling and that (check one):

3

       This Court has waived the requirement set forth in LR 9021(b)(1).

4

xxxx No party appeared at the hearing or filed an objection to the motion.

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       I have delivered a copy of this proposed order to all counsel who  
appeared at the hearing, and any unrepresented parties who appeared  
at the hearing, and each has approved or disapproved the order, or  
failed to respond, as indicated below [list each party and whether the  
party has approved, disapproved, or failed to respond to the  
document]:

10

       I certify that this is a case under Chapter 7 or 13, that I have served a  
copy of this order with the motion pursuant to LR 9014(g), and that  
no party has objected to the form or content of the order

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Submitted by:

LEWIS AND ROCA LLP

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By: /s/ John Hinderaker. (AZ #018024)

Attorneys for USACM Liquidating Trust

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